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Attorneys for Defendants:

NATIONAL ASSOCIATION OF SECURITIES DEALERS,  
 INC., NASDAQ STOCK MARKET, INC., THE AMERICAN  
 STOCK EXCHANGE, LLC, AMERICAN STOCK  
 EXCHANGE CLEARING LLC, AMERICAN STOCK  
 EXCHANGE REALTY ASSOCIATES LLC and NEW YORK  
 CITY INDUSTRIAL DEVELOPMENT AGENCY  
 (REGARDING PROPERTIES LOCATED 1 LIBERTY  
 PLAZA, NEW YORK, NEW YORK AND 78/86 TRINITY  
 PLACE, NEW YORK, NEW YORK, ONLY)

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

-----X 21 MC 102 (AKH)

JESUS GARCES (AND WIFE, ELVIRA GARCES),

Index No.: 07-CV-01615

Plaintiff(s),

**NOTICE OF ADOPTION OF  
 ANSWER TO MASTER  
 COMPLAINT**

-against-

BATTERY PARK CITY AUTHORITY, *et al.*,

**ELECTRONICALLY FILED**

Defendant(s).

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PLEASE TAKE NOTICE that Defendants, NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., NASDAQ STOCK MARKET, INC., THE AMERICAN STOCK EXCHANGE, LLC, AMERICAN STOCK EXCHANGE CLEARING LLC, AMERICAN STOCK EXCHANGE REALTY ASSOCIATES LLC and NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY (REGARDING PROPERTIES LOCATED 1 LIBERTY PLAZA, NEW YORK, NEW YORK AND 78/86 TRINITY PLACE, NEW YORK, NEW YORK, ONLY), by their attorneys, McGIVNEY & KLUGER, P.C., as and for their Response to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above-referenced action, hereby adopt their Answer to Master Complaint dated August 10, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, the defendants, NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., NASDAQ STOCK MARKET, INC., THE AMERICAN STOCK EXCHANGE, LLC, AMERICAN STOCK EXCHANGE CLEARING LLC, AMERICAN STOCK EXCHANGE REALTY ASSOCIATES LLC and NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY (REGARDING PROPERTIES LOCATED 1 LIBERTY PLAZA, NEW YORK, NEW YORK AND 78/86 TRINITY PLACE, NEW YORK, NEW YORK, ONLY),, by their attorneys, McGIVNEY & KLUGER, P.C., demand judgment dismissing the above-captioned action as against them, together with their costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
September 12, 2007

Yours etc.,

McGIVNEY & KLUGER, P.C.

Attorneys for Defendants

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., NASDAQ STOCK MARKET, INC., THE AMERICAN STOCK EXCHANGE, LLC, AMERICAN STOCK EXCHANGE CLEARING LLC, AMERICAN STOCK EXCHANGE REALTY ASSOCIATES LLC and NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY (REGARDING PROPERTIES LOCATED 1 LIBERTY PLAZA, NEW YORK, NEW YORK AND 78/86 TRINITY PLACE, NEW YORK, NEW YORK, ONLY)

By:

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TO: WORBY GRONER & NAPOLI BERN, LLP  
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Litigation  
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